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Attorneys for Defendant AVAYA INC.

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

2-WAY COMPUTING, INC., a Nevada  
corporation,,

Plaintiff,

v.

AVAYA INC., a Delaware corporation, ,

Defendant.

CASE NO.: 2:15-cv-02233-MMD-CWH

**STIPULATION AND PROPOSED ORDER  
EXTENDING TIME FOR DEFENDANT  
TO RESPOND TO COMPLAINT (DOC. #1)**

**THIRD REQUEST**

Plaintiff 2-WAY COMPUTING, INC. ("Plaintiff"), and Defendant AVAYA INC.,  
("Defendant"), by and through their undersigned counsel, hereby agree and stipulate as follows:

1. The current deadline for Defendant to respond or otherwise plead to the  
Complaint (Doc. #1) is March 7, 2016. *See* Doc. #25.

2. The parties agree and stipulate that the deadline for Defendant to answer or  
otherwise respond to Plaintiff's Complaint (Doc. #1) shall be extended by fifteen (15) days, until  
March 22, 2016.

3. This is the third request for an extension of this deadline. This Stipulation is made in good faith and not in an attempt to delay proceedings.

4. Nothing contained herein shall be deemed an admission or waiver of any right belonging to any party hereto.

**IT IS SO STIPULATED:**

Dated this 3<sup>rd</sup> day of March, 2016.

Dated this 3<sup>rd</sup> day of March, 2016.

By: /s/ Mark Borghese  
Mark Borghese, Esq.  
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*Attorneys for Defendants*

**IT IS SO ORDERED:**

DATED March 3, 2016

  
UNITED STATES MAGISTRATE JUDGE

**CERTIFICATE OF SERVICE**

Pursuant to FRCP 5(b), I certify that I am an employee of BROWNSTEIN HYATT FARBER SCHRECK, LLP, and on this 3rd day of March, 2016, I served the document entitled **STIPULATION AND PROPOSED ORDER EXTENDING TIME FOR DEFENDANT TO RESPOND TO COMPLAINT (DOC. #1) THIRD REQUEST**, on the parties listed below via the following:

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☐ **VIA FIRST CLASS U.S. MAIL:** by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Reno, Nevada for delivery to the foregoing.

☐ **VIA FACSIMILE:** by transmitting to a facsimile machine maintained by the person on whom it is served at the facsimile machine telephone number as last given by that person on any document which he/she has filed in the cause and served on the party making the service. The copy of the document served by the facsimile transmission bears a notation of the date and place of transmission and the facsimile telephone number to which it was transmitted.

☐ **BY PERSONAL SERVICE:** by personally hand-delivering or causing to be hand delivered by such designated individual whose particular duties include delivery of such on behalf of the firm, addressed to the individual(s) listed, signed by such individual or his/her representative accepting on his/her behalf.

☒ **VIA ELECTRONIC SERVICE:** by electronically filing the document with the Clerk of the Court using the ECF system which served the foregoing parties electronically.

/s/ Jeff Tillison  
Employee of Brownstein Hyatt Farber  
Schreck, LLP

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